

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

REC'D 24 OCT 2005

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Applicant's or agent's file reference P 03 033 WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/DK 03/00529	International filing date (day/month/year) 07.08.2003	Priority date (day/month/year) 07.08.2003
International Patent Classification (IPC) or both national classification and IPC F03D9/00		
Applicant VESTAS WIND SYSTEMS AS et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of 5 sheets.

3. This report contains Indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 28.01.2005	Date of completion of this report 21.10.2005
Name and mailing address of the International preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Avramidis, P Telephone No. +49 89 2399-7317 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/DK 03/00529

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-20 as originally filed

Claims, Numbers

1-15 filed with telefax on 10.10.2005

Drawings, Sheets

1/13-13/13 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/DK 03/00529**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-15
	No: Claims	
Inventive step (IS)	Yes: Claims	1-15
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-15
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/DK 03/00529

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

Reference is made to the following documents:

D1: GB A 2 330 256

D2: US A 5 907 192

The present invention relates to a method of controlling a wind turbine connected to an electric utility grid during malfunction in said electric utility grid according to claim 1.

The problem to be solved by the invention is to maintaining power generation to a utility grid from a wind turbine during a grid malfunction without damaging the wind turbine.

The solution to said problem is provided by the features of claim 1, i.e. in particular by monitoring the temperature in the stator and/or rotor of the generator, the semiconductors of the electric control systems, the transformer and/or the gear means of the wind turbine, comparing said temperature with at least one predefined limit, and controlling one or more wind turbine blades of said wind turbine in order to keep said temperature below at least one predefined limit in a time period of said malfunction.

None of the prior art documents which have become known to this Authority discloses all the technical features of independent claim 1. D1 deals with stabilizing a utility grid by controlling the power generation of a wind turbine to stay below a grid limit power value. Monitoring/controlling the temperature is not mentioned. D2 proposes to protect the wind turbine by disconnecting the wind turbine from the utility grid.

Independent claim 9 claims a corresponding control system, claim 14 a respective wind turbine and claim 15 a family of respective wind turbines.

Claims 2-8 are dependent on claim 1, claims 10-13 are dependent on claim 9 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

Therefore, the present application meet the requirements of Article 33(2) and (3) PCT, because the subject-matter of claims 1-15 is new and involves an inventive step.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/DK 03/00529

Certain defects in the international application

1. Independent claim 1 is not in the two-part form in accordance with Rule 6.3(b) PCT, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(I) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).
2. The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
3. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1, D2 is not mentioned in the description, nor are these documents identified therein.
4. The description is not in conformity with the newly filed claims as required by Rule 5.1(a)(iii) PCT.